



CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

BY

Felicia A. Moore *Art. Kelly*

03-R-1449

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRMS OF SUTHERLAND ASBILL & BRENNAN AND THOMAS, KENNEDY, SAMPSON & PATTERSON TO SERVE AS BOND AND DISCLOSURE COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH PUBLIC FINANCE TRANSACTIONS (INCLUDING THE ISSUANCE OF BOND ANTICIPATION NOTES) FOR THE DEPARTMENT OF AVIATION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID RETAINER AGREEMENT IN AN AMOUNT NOT TO EXCEED \$200,000; AND FOR OTHER PURPOSES.

WHEREAS, Section 2-991 of the Code of Ordinances for the City of Atlanta provides certain procedures for the selection and recommendation of Bond Counsel; and

WHEREAS, the City Attorney solicited written proposals from numerous law firms in the City of Atlanta to serve as Bond Counsel for the City of Atlanta's Department of Aviation in connection with issuance of Bond Anticipation Notes ("BANs") to finance the Hartsfield Development Plan; and

WHEREAS, as a result of the foregoing solicitation, the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson were selected to serve as Bond Counsel for the Department of Aviation for a period of two years with an option to renew for two additional years; and

WHEREAS, the Council authorized the Interim City Attorney to execute a retainer agreement between the City of Atlanta and the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson pursuant to 02-R-0974 in connection with the issuance of BANs; and

WHEREAS, the Department of Aviation desires to issue additional BANs; and

WHEREAS, the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson have competently served as bond counsel in connection with the previous BAN issue; and



WHEREAS, the City Attorney, in consultation with the Chief Financial Officer, recommends that the law firms continue in their role as bond counsel in connection with Airport financing transactions for a term of two years with a two year option to renew.

NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the City Attorney of the City of Atlanta is hereby authorized to execute a retainer agreement with the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to serve as Bond and Disclosure Counsel to the City of Atlanta's Department of Aviation, for a term of two years with a two year option to renew, in connection with Airport financing transactions in the approximate amount of \$500,000,000.00.

Be it further resolved that the Chief Financial Officer is hereby authorized to cause payment of all legal fees, expenses, and costs due for legal services rendered by Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson in connection with and at the time of issuance of BANs in the approximate amount of \$500,000,000, such amounts to be paid from the proceeds of the bond issue; provided that the legal fees authorized herein shall not exceed the sum of \$200,000.00, plus actual expenses incurred by Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson.

Be it finally resolved that all resolutions and parts of resolutions in conflict herewith are hereby rescinded.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

SEP 15, 2003
SEP 23, 2003

RCS# 5008
9/15/03
1:28 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1449

ADOPT

YEAS: 9
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

NV Smith	Y Archibong	Y Moore	A Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	B Maddox	Y Willis
NV Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT I

9-15-03 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 03-O-1347 2. 03-O-1451 3. 03-O-1311 4. 03-O-1443 5. 03-O-1319 6. 03-O-1317 7. 03-O-1441 8. 03-O-1447 9. 03-O-1109 10. 03-O-1329 11. 03-O-1330 12. 03-R-1371 13. 03-R-1372 14. 03-R-1373 15. 03-R-1374 16. 03-R-1437 17. 03-R-1458 18. 03-R-1459 19. 03-R-1383 20. 03-R-1446 21. 03-R-1456 22. 03-R-1316 23. 03-R-1337 24. 03-R-1381 25. 03-R-1382 26. 03-R-1449 27. 03-R-1390 28. 03-R-1392 29. 03-R-1393 30. 03-R-1394 31. 03-R-1395 32. 03-R-1396 33. 03-R-1397 34. 03-R-1398	35. 03-R-1399 36. 03-R-1400 37. 03-R-1401 38. 03-R-1402 39. 03-R-1403 40. 03-R-1404 41. 03-R-1405 42. 03-R-1406 43. 03-R-1407 44. 03-R-1408 45. 03-R-1409 46. 03-R-1410 47. 03-R-1411 48. 03-R-1412 49. 03-R-1413 50. 03-R-1414 51. 03-R-1415 52. 03-R-1416 53. 03-R-1417 54. 03-R-1418 55. 03-R-1419 56. 03-R-1420 57. 03-R-1421 58. 03-R-1422 59. 03-R-1423 60. 03-R-1424 61. 03-R-1425 62. 03-R-1426 63. 03-R-1427 64. 03-R-1428 65. 03-R-1429 66. 03-R-1430 67. 03-R-1431 68. 03-R-1432

Consent I Vote: 10 Yeas; 0Nays: (See RCS #5027) ; 9Yeas; 0Nays: (See RCS #5008)

Items Removed from the Consent Agenda: 03-R-1460; 03-R-1463; Mitchell abstained on 03-R-1449;

Councilmember Mitchell Obtained on the Consent Vote

03-R-1449 (Do Not Write Above This Line)		A RESOLUTION BY <i>Chairman</i> Authorizing the City Attorney to execute a Retainer Agreement with the Law Firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to serve as Bond and Disclosure Counsel to the City of Atlanta in connection with Public Finance Transactions (including the issuance of Bond Anticipation Notes) for the Department of Aviation; to authorize the Chief Financial Officer to pay fees and costs for legal services rendered pursuant to said Retainer Agreement in an amount not to exceed \$200,000.00; and for other purposes.					
ROSALIND RUBEN ADOPTED BY DEPUTY CITY ATTORNEY SEP 15 2003		CONSENT REFER COUNCIL <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1st ADOPT 2nd READ & REFER <input checked="" type="checkbox"/> PERSONAL PAPER REFER					
Date Referred <i>09/02/03</i> Referred To: <i>Finance Executive</i> Date Referred Referred To: Date Referred Referred To: Referred To:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">First Reading</th> </tr> <tr> <td style="width: 50%; vertical-align: top;"> Committee _____ Date _____ Chair _____ Referred To _____ </td> <td style="width: 50%; vertical-align: top;"> Committee _____ Date _____ Chair _____ Referred To _____ </td> </tr> </table>		First Reading		Committee _____ Date _____ Chair _____ Referred To _____	Committee _____ Date _____ Chair _____ Referred To _____
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MAYOR'S ACTION <i>Stanley Smith</i>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"> CERTIFIED SEP 15 2003 ATLANTA CITY COUNCIL PRESIDENT <i>Latoya M. Hubbard</i> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> CERTIFIED SEP 15 2003 <i>Rosalind Ruben</i> MUNICIPAL CLERK </td> </tr> </table>		CERTIFIED SEP 15 2003 ATLANTA CITY COUNCIL PRESIDENT <i>Latoya M. Hubbard</i>		CERTIFIED SEP 15 2003 <i>Rosalind Ruben</i> MUNICIPAL CLERK	
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CERTIFIED SEP 15 2003 <i>Rosalind Ruben</i> MUNICIPAL CLERK							
FINAL COUNCIL ACTION <input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd <input checked="" type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote							